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Michelle Rums

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

GUSTAFSON, LLC,

Opposer,

v.

BAYER CORPORATION,

Applicant.

Opposition No. 153,438

MOTION WITH CONSENT FOR EXTENSION OF TESTIMONY PERIODS

Applicant moves to extend all subsequent testimony periods by ninety (90) days as follows:

Testimony period for Opposer to Close
(Opening thirty (30) days prior thereto): July 25, 2004

Testimony period for Applicant to Close
(Opening (30) days prior thereto): October 21, 2004

Rebuttal Testimony Period to Close
(Opening fifteen (15) days prior thereto): December 9, 2004

Discovery remains closed. The parties are discussing settlement and respectfully submit that this constitutes good cause for the requested extension. Opposer's attorney, Anthony J. Barbieri, consented to this extension in a telephone conversation on April 14, 2004.

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON

By: *[Signature]*

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CERTIFICATE OF SERVICE

I, Thad Chaloemtiarana, hereby certify that a copy of the foregoing **MOTION WITH CONSENT FOR EXTENSION OF TESTIMONY PERIODS** was served upon Anthony J. Barbieri, Kessler & Collins, PC, 5950 Sherry Land, Suite 22, Dallax, TX 75225, via first class mail, postage prepaid, on this 14th day of April, 2004.


